

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Plaintiff,

v.

PETER GERACE, JR.,

Defendant.

Case No. 1:19-cr-227
1:23-cr-37
(LJV)

November 7, 2024

TRANSCRIPT EXCERPT - EXAMINATION OF A.P.
BEFORE THE HONORABLE LAWRENCE J. VILARDO
UNITED STATES DISTRICT JUDGE

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10:21AM 1 (Excerpt commenced at 10:21 a.m.)

10:21AM 2 (Jury is present.)

10:21AM 3 **THE COURT:** The government can call its next witness.

10:21AM 4 **MR. COOPER:** Thank you, Judge. The government calls

10:21AM 5 A.P., Judge.

10:21AM 6

10:21AM 7 **A.P.,** having been duly called and sworn, testified as follows:

10:22AM 8 **MR. COOPER:** May I inquire, Judge?

10:22AM 9 **THE COURT:** You may.

10:22AM 10

10:22AM 11 **DIRECT EXAMINATION BY MR. COOPER:**

10:22AM 12 Q. Good morning, ma'am.

10:22AM 13 A. Good morning.

10:22AM 14 Q. All right. We're gonna knock some stuff out of the way
10:22AM 15 right here at the beginning.

10:22AM 16 Have you and I met before?

10:22AM 17 A. Yes.

10:22AM 18 Q. Have we talked before?

10:22AM 19 A. Yes.

10:22AM 20 Q. Have I talked to you about the questions I'm going to ask
10:22AM 21 you?

10:22AM 22 A. Yes.

10:22AM 23 Q. Have you told me the answers that you're gonna give?

10:22AM 24 A. Yes.

10:22AM 25 Q. Okay. Do you want to be here today?

10:22AM 1 A. Not at all.

10:22AM 2 Q. Are you excited about it?

10:22AM 3 A. Not at all.

10:22AM 4 Q. Is this fun for you?

10:22AM 5 A. No.

10:22AM 6 Q. Are you under a subpoena?

10:22AM 7 A. Yes.

10:22AM 8 Q. Does that require you to appear?

10:22AM 9 A. Yes.

10:22AM 10 Q. Okay. Introduce yourself to the jury, please.

10:22AM 11 A. Good morning. My name is A.P. How are you?

10:22AM 12 Q. Where did you grow up, A.P.?

10:22AM 13 A. I grew up in Batavia.

10:22AM 14 Q. How far did you go in school?

10:22AM 15 A. I have some college. And I have a cosmetology license.

10:22AM 16 Q. Okay. I'm going to kind of jump right into it and I'm

10:22AM 17 not asking these questions to embarrass you, but did there

10:22AM 18 come a time in your life when you started using drugs?

10:22AM 19 A. Yes.

10:22AM 20 Q. Can you tell the jury when that time in your life was?

10:23AM 21 A. Yes, about around 2006. I went -- started working at

10:23AM 22 Pharaoh's. And my first night, I had got done working. I

10:23AM 23 went to a party back home in Batavia, and a couple of my

10:23AM 24 friends were doing cocaine.

10:23AM 25 **THE COURT:** Could you pull the microphone a little

10:23AM 1 closer to you, please?

10:23AM 2 **THE WITNESS:** Sure. And that was the first time that
10:23AM 3 I had tried it.

10:23AM 4 **BY MR. COOPER:**

10:23AM 5 Q. You said that was around 2006?

10:23AM 6 A. Right.

10:23AM 7 Q. Okay. And about how old were you then?

10:23AM 8 A. 21, 22.

10:23AM 9 Q. Got it. You mentioned that you had started working at a
10:23AM 10 place called Pharaoh's; is that correct?

10:23AM 11 A. Yes.

10:23AM 12 Q. Can you tell the jury what kind of business that is?

10:23AM 13 A. It's a gentleman's club.

10:23AM 14 Q. Okay. And so, what does it entail to work at a
10:23AM 15 gentleman's club like Pharaoh's, or Pharaoh's specifically?

10:23AM 16 A. I'm sorry, I don't --

10:23AM 17 Q. What do you do for work there?

10:23AM 18 A. Oh, I was a dancer. I bar tended. I was a waitress,
10:24AM 19 shot girl.

10:24AM 20 Q. From the time that you started working at Pharaoh's until
10:24AM 21 the last day that you ever worked there, what was that time
10:24AM 22 period like?

10:24AM 23 A. I did a lot of drinking, drugs. I made some good money.

10:24AM 24 Q. Got it. Now I -- that was a poorly-phrased question. I
10:24AM 25 guess what I want to know is when was the last time you ever

10:24AM 1 worked there?

10:24AM 2 A. Oh, I stopped working there sometime in 2013.

10:24AM 3 Q. Okay. So between 2006 or '7 and 2013, did you work there

10:24AM 4 continuously the whole time?

10:24AM 5 A. No.

10:24AM 6 Q. Was it on and off for periods of time?

10:24AM 7 A. Yes.

10:24AM 8 Q. Okay. All right. During the time -- during that six or

10:24AM 9 seven-year period where you did work on and off at Pharaoh's,

10:24AM 10 did you observe people using drugs inside of Pharaoh's?

10:24AM 11 A. Yes.

10:24AM 12 Q. Did you observe dancers using drugs inside of Pharaoh's?

10:25AM 13 A. Yes.

10:25AM 14 Q. Did you observe dancers smoking marijuana?

10:25AM 15 A. Yes.

10:25AM 16 Q. Did you observe dancers using cocaine?

10:25AM 17 A. Yes.

10:25AM 18 Q. Okay. And did you observe, you know, see things with

10:25AM 19 your eyes, that led you to believe that dancers were using

10:25AM 20 heroin?

10:25AM 21 A. Yes.

10:25AM 22 Q. Can you describe that for the jury?

10:25AM 23 A. Yes, so I never actually physically saw anyone take a

10:25AM 24 needle or snort it or whatever they do with it, but there

10:25AM 25 were times when girls would go to the bathroom, be in there

10:25AM 1 for a while, come out, fall right to sleep or just kind of be

10:25AM 2 wobbling, acting out of it. You could notice some girls had

10:25AM 3 track marks on their legs, their arms.

10:25AM 4 Q. I want to pause right there for a second. Are those some

10:25AM 5 observations that, based on your common sense life

10:25AM 6 experience, you associate with using drugs like heroin?

10:25AM 7 A. Yes.

10:25AM 8 Q. And when you say you see someone go to the bathroom, come

10:25AM 9 out of the bathroom, and then start kind of falling asleep,

10:25AM 10 is there a term for that called nodding out?

10:26AM 11 A. Yes.

10:26AM 12 Q. Have you heard that term before?

10:26AM 13 A. Yes.

10:26AM 14 Q. Is that what you were describing to the jury?

10:26AM 15 A. Yes.

10:26AM 16 Q. You also mentioned the word "track marks." Do you

10:26AM 17 remember saying that?

10:26AM 18 A. Yes.

10:26AM 19 Q. Can you tell them what you mean when you say that you saw

10:26AM 20 dancers with track marks on them?

10:26AM 21 A. So if someone were to use a needle to shoot up the

10:26AM 22 heroin, they would use a needle. Once you keep poking

10:26AM 23 yourself many, many times, you get marks from it, just like

10:26AM 24 you would get blood drawn at the hospital, you have a mark.

10:26AM 25 Q. Okay. So is it like a physical sign of repeated use of a

10:26AM

1 needle?

10:26AM

2 A. Yes.

10:26AM

3 Q. And based on your common sense and your life experience,

10:26AM

4 is that something you associate with heroin use?

10:26AM

5 A. Yes.

10:26AM

6 Q. Did you see dancers that had track marks on their arms

10:26AM

7 and legs when you worked at Pharaoh's?

10:26AM

8 A. Yes.

10:26AM

9 Q. Do you know a person by the name of Peter Gerace?

10:26AM

10 A. Yes.

10:26AM

11 Q. Okay. How do you know that person?

10:26AM

12 A. We dated on and off for all of those years that I worked

10:26AM

13 there. He also is the owner of Pharaoh's.

10:26AM

14 Q. Okay. So was there a period of time back in '06 to '13,

10:27AM

15 approximately, when you were involved in an -- in a romantic

10:27AM

16 or an intimate relationship with Peter Gerace?

10:27AM

17 A. Yes. So, in 2008, we dated like exclusively for about

10:27AM

18 five to six months, and then just periodically on and off

10:27AM

19 throughout then.

10:27AM

20 Q. Does that make it difficult to sit in the chair that

10:27AM

21 you're sitting in today?

10:27AM

22 A. Very.

10:27AM

23 Q. Okay. Can you tell the jury -- well, first of all, is

10:27AM

24 Peter Gerace in court today?

10:27AM

25 A. Yes.

1 Q. Can you point him out and identify what he's wearing for
2 the record?

3 A. He's right over there with a blue tie and a gray jacket,
4 white shirt, glasses.

5 **MR. COOPER:** Judge for the record, indicating the
6 defendant.

7 **THE COURT:** Yeah, it does.

8 **MR. COOPER:** Thank you.

9 **BY MR. COOPER:**

10 Q. Do you remember the first time in your whole life that
11 you met the defendant?

12 A. Yes.

13 Q. Okay. Can you tell them about it?

14 A. Yes. So, somewhere in 2008, I had gone to Pharaoh's. I
15 wasn't working. I went with some friends. I believe it was
16 to watch a Bills game or some kind of game. I remember
17 having Bills clothes on.

18 And he came up to the bar and bought drinks and we were
19 just socializing, talking. And then after a while, he had
20 given me some money, and asked me to go to a certain address,
21 and to grab some cocaine and bring it back.

22 Q. Is that the very first night that you met him?

23 A. Yes.

24 Q. Did you agree to do that?

25 A. Yes.

10:28AM 1 Q. Okay. Did the defendant give you money?

10:28AM 2 A. Yes.

10:28AM 3 Q. Did you take the money?

10:28AM 4 A. Yes.

10:28AM 5 Q. Did he provide you with an address to go to?

10:28AM 6 A. Yes.

10:28AM 7 Q. What did he tell you to do when you went to that address?

10:28AM 8 A. To go there and get the drugs.

10:28AM 9 Q. Okay. When you had that conversation with him where he's

10:28AM 10 telling you to go somewhere and get drugs, was that inside of

10:29AM 11 Pharaoh's?

10:29AM 12 A. Yes.

10:29AM 13 Q. Did you follow his instructions and go do that?

10:29AM 14 A. Yes.

10:29AM 15 Q. Where did you go?

10:29AM 16 A. I went to a house, apartment, on Virginia Place downtown.

10:29AM 17 Q. Did you go alone or did someone go with you?

10:29AM 18 A. I was alone.

10:29AM 19 Q. Who did you meet with there?

10:29AM 20 A. When I -- the person opened the door, I ended up knowing

10:29AM 21 who they were. His name was Marcus Hatten.

10:29AM 22 Q. Okay. And did Marcus Hatten have, like, a nickname or a

10:29AM 23 name he sometimes went by?

10:29AM 24 A. Marcus Black. Black Marcus.

10:29AM 25 Q. You said it's someone you ended up knowing. Where did

10:29AM 1 you know that person from?

10:29AM 2 A. He's very much out in all of the bars, I think downtown,

10:29AM 3 just from being out in --

10:29AM 4 Q. So you knew him socially?

10:29AM 5 A. Yes, um-hum.

10:29AM 6 Q. Did Marcus Hatten or Marcus Black provide you with

10:29AM 7 cocaine?

10:29AM 8 A. Yes.

10:29AM 9 Q. Did you give him Peter Gerace's money?

10:29AM 10 A. Yes.

10:29AM 11 Q. What did you do with the cocaine once you got it?

10:29AM 12 A. I got back in my car and went back to Pharaoh's.

10:30AM 13 Q. Okay. What did you do with it when you got back to

10:30AM 14 Pharaoh's?

10:30AM 15 A. I gave it to Peter.

10:30AM 16 Q. Did you use cocaine with Peter Gerace that night?

10:30AM 17 A. We did, yes.

10:30AM 18 Q. Is that the only time in your whole life that you used

10:30AM 19 cocaine with Peter Gerace?

10:30AM 20 A. No.

10:30AM 21 Q. Is it the only time in your life that you used cocaine

10:30AM 22 inside of Pharaoh's?

10:30AM 23 A. No.

10:30AM 24 Q. Has that happened a lot of times in your life?

10:30AM 25 A. Yes.

10:30AM 1 Q. Now, we just talked a second ago about Marcus Black or
10:30AM 2 Marcus Hatten.

10:30AM 3 Have you seen Marcus Black or Marcus Hatten inside of
10:30AM 4 Pharaoh's before?

10:30AM 5 A. Yes.

10:30AM 6 Q. Okay. Once or more than once?

10:30AM 7 A. More than once.

10:30AM 8 Q. Was he there quite a bit?

10:30AM 9 A. Yes.

10:30AM 10 Q. Okay. And can you describe for the jury, what was Marcus
10:30AM 11 Black's relationship with Peter Gerace?

10:30AM 12 A. They're friends.

10:30AM 13 Q. How do you know that?

10:30AM 14 A. He hung out with us on many occasions. There was even a
10:30AM 15 time we went to Ellicottville that he came to stay in the
10:31AM 16 chalet for the big Oktoberfest thing that they have.

10:31AM 17 Q. Okay. So based on your own personal experience, do you
10:31AM 18 know Marcus Black and Peter Gerace to be friends?

10:31AM 19 A. Yes.

10:31AM 20 Q. Do you know Marcus Black to be a drug dealer?

10:31AM 21 A. Yes.

10:31AM 22 Q. Have you bought drugs from him?

10:31AM 23 A. Yes.

10:31AM 24 Q. Other than that one time that you just described from us
10:31AM 25 driving to a house, have you bought drugs from Marcus inside

10:31AM 1 of Pharaoh's?

10:31AM 2 A. Yes.

10:31AM 3 Q. Once or more than once?

10:31AM 4 A. More than once.

10:31AM 5 Q. Have you seen Peter Gerace buy drugs from Marcus Black
10:31AM 6 inside --

10:31AM 7 A. Yes.

10:31AM 8 Q. -- of Pharaoh's.

10:31AM 9 Sorry, let me finish the question.

10:31AM 10 A. Sorry.

10:31AM 11 Q. That's okay.

10:31AM 12 Have you seen Peter Gerace buy drugs from Marcus Black
10:31AM 13 inside of Pharaoh's?

10:31AM 14 A. Yes.

10:31AM 15 Q. Once or more than once?

10:31AM 16 A. More than once.

10:31AM 17 **MR. COOPER:** Just -- can I have one second, Judge.

10:31AM 18 **THE COURT:** Sure.

10:31AM 19 **BY MR. COOPER:**

10:32AM 20 Q. Just give me one second. I'm just trying to pull up an
10:32AM 21 exhibit.

10:32AM 22 A. Sure.

10:32AM 23 **MR. COOPER:** I'm going to ask that for the witness
10:32AM 24 only, please, we pull up Government Exhibit 484.

10:32AM 25 **MS. CHAMPOUX:** I'm sorry, 485?

10:32AM 1 **MR. COOPER:** I'm sorry, 485.

10:33AM 2 **BY MR. COOPER:**

10:33AM 3 Q. Can you see Government Exhibit 485 on your screen?

10:33AM 4 A. Yes.

10:33AM 5 Q. Who is that a picture of?

10:33AM 6 A. Marcus.

10:33AM 7 Q. Does that fairly and accurately depict the person Marcus
10:33AM 8 Hatten that we've been talking about?

10:33AM 9 A. Yes.

10:33AM 10 **MR. COOPER:** With that foundation, I'd offer this
10:33AM 11 into evidence as Government's Exhibit 485.

10:33AM 12 **MR. SOEHNLEIN:** No objection.

10:33AM 13 **THE COURT:** Received without objection.

10:33AM 14 **(GOV Exhibit 485 was received in evidence.)**

10:33AM 15 **MR. COOPER:** Can we publish that to the jury,
10:33AM 16 Ms. Demma?

10:33AM 17 **BY MR. COOPER:**

10:33AM 18 Q. So we've been talking about a person Marcus Hatten,
10:33AM 19 sometimes called Black Marcus or Marcus Black. Is that him
10:33AM 20 on the screen there?

10:33AM 21 A. Yes.

10:33AM 22 **MR. COOPER:** Okay. You can take that down.

10:33AM 23 **BY MR. COOPER:**

10:33AM 24 Q. I want to switch gears for a second.

10:33AM 25 We've talked about your drug use at Pharaoh's. We've

10:33AM 1 talked about Marcus Black. Have you ever sold drugs before

10:33AM 2 in your life?

10:33AM 3 A. Yes.

10:33AM 4 Q. Once or more than once?

10:33AM 5 A. More than once.

10:33AM 6 Q. As you sit here today, you're proud about that?

10:33AM 7 A. Not at all.

10:33AM 8 Q. Okay. Is it easy to talk about?

10:33AM 9 A. No.

10:34AM 10 Q. Okay. We're going to talk about it, though.

10:34AM 11 Have you sold drugs at Pharaoh's?

10:34AM 12 A. Yes.

10:34AM 13 Q. One time or more than once?

10:34AM 14 A. More than once.

10:34AM 15 Q. Did you do that while you worked there?

10:34AM 16 A. Yes.

10:34AM 17 Q. Who did you sell drugs to at Pharaoh's?

10:34AM 18 A. Some of the other dancers, employees, customers, and

10:34AM 19 Peter.

10:34AM 20 Q. You just listed a few different categories of people. I

10:34AM 21 just want to break that down.

10:34AM 22 Did you sell drugs at Pharaoh's to other people who

10:34AM 23 worked at Pharaoh's?

10:34AM 24 A. Yes.

10:34AM 25 Q. Did that include other exotic dancers?

10:34AM

1 A. Yes.

10:34AM

2 Q. Did that include bouncers or DJs or people like that?

10:34AM

3 A. Yes.

10:34AM

4 Q. Did you sell drugs to Peter Gerace?

10:34AM

5 A. Yes.

10:34AM

6 Q. I think you also mentioned customers; is that correct?

10:34AM

7 A. Yes.

10:34AM

8 Q. Would customers come into the club during the time that

10:34AM

9 you worked there and ask to purchase drugs?

10:34AM

10 A. Not like that.

10:34AM

11 Q. How would it play out? Explain it to the jury.

10:34AM

12 A. It was more of that if someone had come in and was

10:34AM

13 looking for it, I would have it. It wasn't like I went out

10:35AM

14 of my way to ask, do you want some cocaine. It was, you

10:35AM

15 know, more of someone asking, and I would help with that

10:35AM

16 because it would make them stay longer and potentially I

10:35AM

17 would make more money.

10:35AM

18 Q. So let -- let's focus in on that part for a second.

10:35AM

19 The ways that you make money when you work as a dancer at

10:35AM

20 Pharaoh's, is it by customers staying and spending time with

10:35AM

21 you?

10:35AM

22 A. One of the ways, yes.

10:35AM

23 Q. If a customer buys a VIP or a lap dance, does that make

10:35AM

24 you more money as a dancer?

10:35AM

25 A. Yes.

10:35AM 1 Q. If a customer stays inside the club longer and watches
10:35AM 2 you go on stage and puts money out, does that make you more
10:35AM 3 money?

10:35AM 4 A. Yes.

10:35AM 5 Q. Okay. Does Pharaoh's serve alcohol?

10:35AM 6 A. Yes.

10:35AM 7 Q. And you've told us before, you've used cocaine before,
10:35AM 8 right?

10:35AM 9 A. Yes.

10:35AM 10 Q. Does using cocaine while you're drinking alcohol allow
10:35AM 11 you to kind of stay up and stay alert longer?

10:35AM 12 A. Yes.

10:35AM 13 Q. Is that something that happens commonly in that industry
10:35AM 14 in Pharaoh's?

10:35AM 15 A. Yes.

10:35AM 16 Q. Was it beneficial to you financially to give cocaine to
10:36AM 17 customers to keep them spending money on you?

10:36AM 18 A. Yes.

10:36AM 19 Q. Okay. If the customers were staying in the club and
10:36AM 20 spending more money on things like alcohol and lap dances,
10:36AM 21 was that beneficial to the club?

10:36AM 22 A. Absolutely. Yes.

10:36AM 23 Q. Did the club make money selling alcohol?

10:36AM 24 A. Yes.

10:36AM 25 Q. Did the club make money when you or other dancers went in

10:36AM 1 the back to do VIP dances?

10:36AM 2 A. Yes.

10:36AM 3 Q. Did cocaine help the club make more money?

10:36AM 4 A. Yes.

10:36AM 5 Q. At the same time that you were selling cocaine -- just

10:36AM 6 let me start here. Were you selling, like, kilos of cocaine?

10:36AM 7 A. No.

10:36AM 8 Q. Was it, like, user amounts?

10:36AM 9 A. Yes.

10:36AM 10 Q. A gram here, 8 Ball there?

10:36AM 11 A. Yes, I wasn't making any kind of substantial amount from

10:36AM 12 it. It was mostly to cover my habit and maybe make a little

10:36AM 13 bit extra, few hundred dollars extra.

10:36AM 14 Q. Okay. I used the term "8 Ball" there, but are you

10:36AM 15 familiar with that term?

10:36AM 16 A. Yes.

10:36AM 17 Q. What is that?

10:36AM 18 A. So, a nickname for about 3-and-a-half grams of cocaine.

10:37AM 19 Q. Okay. And is that kind of consistent with a bit of a

10:37AM 20 larger user amount of cocaine?

10:37AM 21 A. Yeah.

10:37AM 22 Q. Okay. You said that you were selling drugs mostly to

10:37AM 23 cover your habit. At that time in your life when you were

10:37AM 24 selling cocaine at Pharaoh's, how much cocaine were you using

10:37AM 25 per day?

10:37AM 1 A. At least a gram a day.

10:37AM 2 Q. About how much would a gram of cocaine cost back then, if

10:37AM 3 you remember?

10:37AM 4 A. Probably 50 to \$70, depending.

10:37AM 5 Q. Did selling drugs at Pharaoh's help you afford to

10:37AM 6 continue spending money on drugs?

10:37AM 7 A. Yes.

10:37AM 8 Q. Did you make some money on top of just the 50 or \$70 that

10:37AM 9 you were spending on cocaine a day?

10:37AM 10 A. I'm sorry?

10:37AM 11 Q. Were you making some extra money on top of just paying --

10:37AM 12 A. Very little.

10:37AM 13 Q. Okay. Did there come -- or have you ever been fronted

10:38AM 14 drugs?

10:38AM 15 A. Yes.

10:38AM 16 Q. Do you know what that means?

10:38AM 17 A. Yes.

10:38AM 18 Q. What does it mean to be fronted drugs?

10:38AM 19 A. So basically, if you don't have the money to buy them,

10:38AM 20 you can ask the person who's selling them to loan it to you,

10:38AM 21 kind of like a credit-card thing, and you pay them back.

10:38AM 22 Q. Okay. So they give you the drugs on credit, you sell

10:38AM 23 them, and then you pay the person back?

10:38AM 24 A. Correct. Hopefully.

10:38AM 25 Q. What's that?

10:38AM 1 A. I said hopefully they do, yeah.

10:38AM 2 Q. Did there come a time when, while you were working at
10:38AM 3 Pharaoh's, you were storing some cocaine in, like, the
10:38AM 4 locker/dressing room area there?

10:38AM 5 A. I did, yes.

10:38AM 6 Q. Okay. And did there come a time when a manager at
10:38AM 7 Pharaoh's found it?

10:38AM 8 A. Yes.

10:38AM 9 Q. Okay. And were there a number of different managers at
10:38AM 10 Pharaoh's?

10:38AM 11 A. Yes.

10:38AM 12 Q. And because they're different people, did some of them
10:38AM 13 act differently at how they kind of managed Pharaoh's?

10:38AM 14 A. Yes.

10:38AM 15 Q. Who found the drugs in your -- in your dressing room?

10:39AM 16 A. Chris Chudy.

10:39AM 17 Q. Okay. Was he a manager there?

10:39AM 18 A. Yes.

10:39AM 19 Q. What happened when Chris Chudy found drugs in your
10:39AM 20 dressing room?

10:39AM 21 A. He threw them in the toilet. Flushed them. And I can't
10:39AM 22 remember if he himself called. Someone called from there and
10:39AM 23 told me and Jessica Leyland, who was in my dressing room
10:39AM 24 where they found the cocaine at the time, that we had to come
10:39AM 25 and get our stuff and get out. We didn't have a job anymore.

1 Q. Was it your understanding that -- well, let me walk that
2 back for a second.

3 During the time that you worked at Pharaoh's, between
4 about '06, '07, and 2012, or 2013, who ran the club?

5 A. Are you talking owner? Managers?

6 Q. So who was in charge? You tell me.

7 A. Well, Peter and Don Parrino owner -- were the owners.
8 And then, I mean, managers run it as well.

9 Q. Okay. So from -- if we're going, like, top, down, you
10 described Peter and Don Parrino; is that correct?

11 A. Yes.

12 Q. Okay. And then below them would be managers; is that
13 fair?

14 A. Yes.

15 Q. Were there some differences that you experienced in how
16 Peter ran the club and his co-owner, Don, wanted to run the
17 club?

18 A. I mean, Peter was more on the scene, and, you know,
19 there, where Donnie more kind of sat back and wasn't there as
20 much.

21 Q. So would you say Peter was more involved in, like, the
22 day-to-day running of the club?

23 A. Yes.

24 Q. Let me ask you this: When Chris Chudy found -- was it
25 cocaine?

10:40AM

1 A. Yes.

10:40AM

2 Q. When Chris Chudy found cocaine in your dressing room, was

10:40AM

3 it Don Parrino who fired you?

10:40AM

4 A. No.

10:40AM

5 Q. Was it Chris Chudy who fired you?

10:40AM

6 A. Yes.

10:40AM

7 Q. Did -- after you got fired, did you go and -- and work

10:40AM

8 elsewhere for a period of time?

10:41AM

9 A. Yes.

10:41AM

10 Q. Now, do you remember coming back to work at the club at

10:41AM

11 some point after that?

10:41AM

12 A. Yes.

10:41AM

13 Q. I want to speak about how you came back to work at the

10:41AM

14 club, okay?

10:41AM

15 During the time period that you were fired, did you

10:41AM

16 attend some kind of Pharaoh's outing?

10:41AM

17 A. Yes.

10:41AM

18 Q. What?

10:41AM

19 A. A golf tournament.

10:41AM

20 Q. The golf tournament. What was the golf tournament like?

10:41AM

21 A. They're fun. They -- just was a bunch of Peter's friends

10:41AM

22 and people that signed up to do the tournament. And it was a

10:41AM

23 fun day.

10:41AM

24 Q. Was it kind of like a giant party?

10:41AM

25 A. Yeah.

10:41AM 1 Q. A lot of alcohol?

10:41AM 2 A. Yep.

10:41AM 3 Q. Was there a lot of drugs there?

10:41AM 4 A. People were doing drugs, yes.

10:41AM 5 Q. Okay. And so did you attend -- do you remember what year

10:41AM 6 that was you attended the golf outing while you were kind of

10:41AM 7 fired?

10:41AM 8 A. I really don't.

10:41AM 9 Q. That's okay. If you don't remember, say you don't

10:41AM 10 remember.

10:41AM 11 A. I'm sorry, I really don't.

10:41AM 12 Q. Okay. That's okay.

10:42AM 13 Do you remember attending the golf outing during that

10:42AM 14 timeframe, though, when you were -- when you were fired from

10:42AM 15 Pharaoh's?

10:42AM 16 A. Yes.

10:42AM 17 Q. Okay. After the golf outing that day, did you go back to

10:42AM 18 Pharaoh's?

10:42AM 19 A. Yes.

10:42AM 20 Q. What were you doing going back there?

10:42AM 21 A. It was a hot day, and we were out in the sun all day, so

10:42AM 22 I'm not sure what we were going to do after, but all of us

10:42AM 23 needed to take a shower. So a few of the girls, we went

10:42AM 24 upstairs in -- to Pharaoh's and took showers.

10:42AM 25 Q. Got it. Did there come a time when that kind of caused

10:42AM 1 some trouble that you were at Pharaoh's?

10:42AM 2 A. Yes.

10:42AM 3 Q. What happened?

10:42AM 4 A. So, Don Parrino's wife, Adele, had caught wind that I was
10:42AM 5 upstairs. And at that time, I was not allowed to be in
10:42AM 6 Pharaoh's. She got quite upset, and I had to leave.

10:42AM 7 Q. Okay. A few -- I want to switch gears for a second.

10:43AM 8 A few minutes ago you mentioned that Jessica Leyland
10:43AM 9 shared the dressing room with you --

10:43AM 10 A. Yes.

10:43AM 11 Q. -- where the cocaine was found; is that right?

10:43AM 12 A. Yes.

10:43AM 13 Q. Back at that time in your life, were you close friends
10:43AM 14 with Jessica?

10:43AM 15 A. She was my best friend.

10:43AM 16 Q. Did she have a -- a stage name or a name she went by at
10:43AM 17 the club?

10:43AM 18 A. Charm.

10:43AM 19 Q. And you described for us that you were selling cocaine
10:43AM 20 for a period of time when you were working at Pharaoh's. Was
10:43AM 21 Charm or Jessica also a person who sold cocaine at Pharaoh's?

10:43AM 22 A. Yes.

10:43AM 23 Q. Did she sell it to employees?

10:43AM 24 A. Yes.

10:43AM 25 Q. Did she sell it to dancers?

10:43AM

1 A. Yes.

10:43AM

2 Q. Did she sell it to customers?

10:43AM

3 A. Yes.

10:43AM

4 Q. Did you know Charm and this defendant, Peter Gerace, to

10:43AM

5 have a close friendship or relationship?

10:43AM

6 A. Yes.

10:43AM

7 Q. You ended up getting hired back to work at Pharaoh's,

10:43AM

8 right?

10:43AM

9 A. Yes.

10:43AM

10 Q. Who brought you back to work at Pharaoh's?

10:43AM

11 A. Peter.

10:43AM

12 Q. That was after you had been let go by Chris Chudy for

10:44AM

13 selling drugs?

10:44AM

14 A. Yes.

10:44AM

15 Q. Did Peter ever say to you, oh, my God, A.P., you're

10:44AM

16 selling drugs inside any club, what are you doing? Did that

10:44AM

17 ever happen?

10:44AM

18 A. No.

10:44AM

19 Q. I want to speak with you now about an individual named

10:44AM

20 Joseph Bongiovanni. Do you know that person?

10:44AM

21 A. I know who he is.

10:44AM

22 Q. Have you met him before?

10:44AM

23 A. I have.

10:44AM

24 Q. Can you tell the jury how you met Joseph Bongiovanni?

10:44AM

25 A. Joe has been in Pharaoh's a couple of times, I've seen

1 him. I was introduced to him by Peter.

2 Q. What was your understanding of Joe Bongiovanni's
3 relationship with Peter?

4 A. That they were friends.

5 Q. Is that based on your observations?

6 A. Yes.

7 Q. Did there come a time when you learned what Joe
8 Bongiovanni did for work?

9 A. Yes.

10 Q. How did you learn that?

11 A. Peter had a business card of Joe's. He had given it to
12 me and said that if I had gotten into trouble, that I could
13 call him and try to get help.

14 Q. Now, earlier, you described for us that the very first
15 night you met Peter, you kind of, like, middled a cocaine
16 deal for him; is that fair to say?

17 You ran and got coke from Marcus Black and brought it
18 back to Peter; do you remember saying that?

19 A. Yes.

20 **MR. SOEHNLEIN:** Objection, Your Honor, to the last
21 question. Sorry.

22 **THE COURT:** What's the basis of the objection?

23 **MR. SOEHNLEIN:** Speculative, and I don't think that
24 it fairly characterized her testimony calling --

25 **THE COURT:** Overruled.

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BY MR. COOPER:

Q. Did you hear my question?

A. Yes.

Q. Okay. Is that what happened?

A. Yes.

Q. Okay. And that was the first night you met Peter, right?

A. Yes.

Q. So by the time Peter is giving you Joe Bongiovanni's business card, it's fair to say that Peter knows that you're involved with cocaine, right?

A. Yes.

MR. COOPER: Can I just have one second, Judge?

THE COURT: Sure.

MR. COOPER: Thank you.

BY MR. COOPER:

Q. Just a few follow-up questions that I think I might have missed. You talked about having a dressing room where you stored cocaine.

Do you remember talking about that?

A. Yes.

Q. Was that separate from, kind of, the standard, general dressing room that most of the dancers used?

A. It's inside of it, but there was a door that, you know, would close so you had privacy, but it was in the dressing room.

10:46AM 1 Q. Got it. And so did you have kind of a private dressing
10:46AM 2 room inside of Pharaoh's?
10:46AM 3 A. Yes.
10:46AM 4 Q. And who -- who authorized or -- or gave you that?
10:46AM 5 A. Peter.
10:46AM 6 Q. Just to circle back for a second to Marcus Black, did
10:46AM 7 you -- based on your observations when you worked at
10:46AM 8 Pharaoh's, did Marcus Black frequently distribute cocaine to
10:47AM 9 people inside of Pharaoh's?
10:47AM 10 A. Yes.
10:47AM 11 Q. How frequently was Marcus at Pharaoh's?
10:47AM 12 A. Once every few weeks, I guess. I mean, I wasn't there
10:47AM 13 every day. I can't, you know --
10:47AM 14 Q. Yeah. I'm just asking based on your experience --
10:47AM 15 A. Sure.
10:47AM 16 Q. -- when you worked there, how frequently did you see him?
10:47AM 17 A. Once every few weeks.
10:47AM 18 Q. When you saw him there, was he selling drugs?
10:47AM 19 A. Sometimes.
10:47AM 20 Q. I asked you before kind of a general question about
10:47AM 21 whether Peter Gerace ever provides you cocaine. Do you
10:47AM 22 remember me asking you that?
10:47AM 23 A. Yes.
10:47AM 24 Q. And I asked you if that happened once or more than once;
10:47AM 25 do you remember that?

10:47AM 1 A. Yes.

10:47AM 2 Q. Can you tell the jury where inside the club, either one
10:47AM 3 area or multiple areas, where did that happen?

10:47AM 4 A. That we -- that we did it?

10:47AM 5 Q. That Peter gave you cocaine, where inside the club did
10:47AM 6 that happen?

10:47AM 7 A. We did it upstairs. I guess when we were there when the
10:48AM 8 whole building was shut down, we've done it in the -- just
10:48AM 9 general area. It was just me and him there.

10:48AM 10 Q. That upstairs area that you just described for us a
10:48AM 11 moment ago, is that upstairs area, like, publically
10:48AM 12 accessible to any customer that wants to walk up there?

10:48AM 13 A. No.

10:48AM 14 Q. Who controls that upstairs area?

10:48AM 15 A. Peter and Donnie.

10:48AM 16 Q. When you've done cocaine at Pharaoh's with Peter, has it
10:48AM 17 been mostly in that upstairs area?

10:48AM 18 A. Yes.

10:48AM 19 Q. Have you done it always with just the two of you, or have
10:48AM 20 there been other people up there as well?

10:48AM 21 A. There's been other people.

10:48AM 22 Q. Who else would go up there?

10:48AM 23 A. Friends of his or other dancers.

10:48AM 24 Q. Okay. And in terms of, like, the other dancers, did
10:48AM 25 they -- did they have to be invited? Or were people free to

1 go up there whenever they felt like it?

2 A. No, it was invite only.

3 Q. Okay. During this time, you described that you dated

4 Peter kind of on and off; is that correct?

5 A. Yes.

6 Q. Did Peter ever ask you to engage in commercial sex with

7 people at Pharaoh's?

8 A. No. Never.

9 Q. You were his girlfriend, right?

10 A. Right.

11 **MR. COOPER:** No further direct, Judge. Thank you.

12 **THE COURT:** Cross?

13 **MR. SOEHNLEIN:** Can we approach on one thing --

14 **THE COURT:** Sure, come on up.

15 (Sidebar discussion held on the record.)

16 **MR. SOEHNLEIN:** I want to ask two questions, just
17 because Mr. Cooper asked her when she was fired that she went
18 and got a job somewhere else. She went to work at Tiffany's,
19 which is another strip club, stripped there, then came back.
20 That's all I want to ask.

21 **THE COURT:** Sure.

22 **MR. SOEHNLEIN:** Okay. Thank you.

23 (Sidebar discussion ended.)

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Q. Good morning, Ms. A.P.

A. Good morning.

Q. Is that close enough?

A. A.P., but it's close enough.

Q. A.P.?

A. Yeah.

Q. I'm hoping we get a witness in this case with an easy name. So far, it hasn't happened.

You said that you worked at Pharaoh's from 2007 to 2013; is that right?

A. Correct. Yeah.

Q. You listed a number of jobs that you did there. You were a dancer?

A. Yes.

Q. You were a bartender?

A. Yes.

Q. You were a shot girl?

A. Yes.

Q. Anything else?

A. Waitress.

Q. Waitress, okay.

Now, you started working at Pharaoh's for the money, right?

A. Yes.

1 Q. Tell us about that.

2 A. At the time, before I had worked there, I was cutting
3 hair and working at a clothing store. And I was giving one
4 of my friends a haircut, and we were talking about one of the
5 girls we knew that we were kind of friends with that worked
6 there.

7 I asked, you know, does she make good money? What's --
8 what's -- you know -- and he said, yeah.

9 I danced my whole life, jazz, tap, ballet, dancing
10 school. So, I thought about, you know, doing it to make more
11 money. And I asked my friend if he would take me there. I'd
12 never been to a strip club or anything like that. And we
13 went.

14 Q. Okay. And -- and -- and eventually, you got hired as a
15 dancer?

16 A. I did.

17 Q. And -- and you did make good money?

18 A. I did.

19 Q. You made more than you made cutting hair and doing what
20 you were doing beforehand?

21 A. I did.

22 Q. All right. Now, I want to ask you a little bit about --
23 about the club.

24 Now, did you work weekends, weekdays? What was your
25 schedule like?

1 A. I didn't have a schedule. So when you're a dancer,
2 you're an independent contractor. So I just went in whenever
3 I wanted to, or needed to kind of thing.

4 I think in the beginning, I was, you know, working maybe
5 three or four nights a week. I did start working for a stag
6 company on the weekends, so I would either go there after my
7 stags or just not go at all because I did well enough with
8 the stags.

9 Q. Yeah. And the stag company, that wasn't Pharaoh's,
10 right?

11 A. No.

12 Q. That had nothing to do with Peter?

13 A. No.

14 Q. Completely independent?

15 A. Right.

16 Q. Right. He -- he -- to your knowledge, he wasn't getting
17 any cut of the money or anything?

18 A. No.

19 Q. Completely separate from -- from Pharaoh's, right?

20 A. Yes.

21 Q. Okay. Now, when you're working at Pharaoh's, you choose
22 what you wear, right?

23 A. Correct.

24 Q. You choose what customers you talk to?

25 A. Yes.

10:52AM 1 Q. If a customer wants to take you in the VIP Room, if you
10:52AM 2 don't want to do it, you don't have to do it, right?

10:52AM 3 A. Right.

10:52AM 4 Q. Okay. There's cameras there?

10:52AM 5 A. Yes.

10:52AM 6 Q. There's security there?

10:52AM 7 A. Yes.

10:52AM 8 Q. Did you trust the security when you were working there?

10:52AM 9 A. Absolutely.

10:52AM 10 Q. Yeah. They were pretty good at protecting you, right?

10:52AM 11 A. They were awesome.

10:52AM 12 Q. Yeah, awesome.

10:52AM 13 Now, I want to talk to you a little bit about your -- and
10:53AM 14 I don't want to dwell on it, so we're just gonna, you know,
10:53AM 15 kind of just touch the surface.

10:53AM 16 You testified earlier about your drug use?

10:53AM 17 A. Yes.

10:53AM 18 Q. You started using drugs before you met Peter Gerace?

10:53AM 19 A. Yes.

10:53AM 20 Q. And you started using drugs outside of Pharaoh's?

10:53AM 21 A. Yes.

10:53AM 22 Q. Yeah. And your drug use continued even though you were
10:53AM 23 working at Pharaoh's, correct?

10:53AM 24 A. Yes.

10:53AM 25 Q. Okay. And I think there was some testimony about you met

10:53AM 1 Peter and he asked you to go and get cocaine, correct?

10:53AM 2 A. Yes.

10:53AM 3 Q. Now, at that point in time, that -- that was something

10:53AM 4 you wanted to do, right?

10:53AM 5 A. Yes.

10:53AM 6 Q. You were a cocaine user, right?

10:53AM 7 A. Yes.

10:53AM 8 Q. Okay. And -- and you went and you bought the cocaine

10:53AM 9 from Marcus Black --

10:53AM 10 A. Yes.

10:53AM 11 Q. -- right?

10:53AM 12 Now, you -- I'm gonna summarize the transaction.

10:53AM 13 You gave Marcus the money, and Marcus gave you the

10:53AM 14 cocaine, right?

10:53AM 15 A. Yes.

10:53AM 16 Q. Okay. And then you and Peter and some other people went

10:53AM 17 back and used it, correct?

10:54AM 18 A. Yes.

10:54AM 19 Q. Okay. Yeah. And -- and so Marcus didn't tell you he was

10:54AM 20 giving you any kind of a deal because it was being sold to

10:54AM 21 Peter, right?

10:54AM 22 A. No.

10:54AM 23 Q. Okay. And, in fact, you -- you had known Marcus from

10:54AM 24 other places outside of Pharaoh's, right?

10:54AM 25 A. Yes.

10:54AM 1 Q. He went to a lot of bars?

10:54AM 2 A. Yes.

10:54AM 3 Q. And he was a known drug dealer at all those bars --

10:54AM 4 A. Yes.

10:54AM 5 Q. -- correct?

10:54AM 6 So if I see Marcus Black at SoHo, I can buy drugs from
10:54AM 7 him, right?

10:54AM 8 A. Yes.

10:54AM 9 Q. If I see Marcus Black at Mother's, I can buy drugs from
10:54AM 10 him, right?

10:54AM 11 A. Yes.

10:54AM 12 Q. If I see Marcus Black outside on the corner outside of
10:54AM 13 the U.S. Attorney's Office, I can buy drugs from him?

10:54AM 14 A. Yes.

10:54AM 15 Q. It might be a little dangerous?

10:54AM 16 A. That's a little weird, yeah.

10:54AM 17 Q. But based on your knowledge of Marcus Black, you probably
10:54AM 18 could have bought drugs there, right?

10:54AM 19 A. Yes.

10:54AM 20 Q. All right. So there was nothing unique of what he is
10:54AM 21 doing inside of Pharaoh's, right?

10:54AM 22 A. Right.

10:54AM 23 Q. All right. Now, you -- you testified a little bit about
10:54AM 24 your drug sales --

10:54AM 25 A. Yes.

10:54AM 1 Q. -- you were doing.

10:54AM 2 You were doing that clandestinely, right? You weren't
10:55AM 3 advertising that you were selling cocaine?

10:55AM 4 A. No.

10:55AM 5 Q. Okay. Small amounts, right?

10:55AM 6 A. Yes.

10:55AM 7 Q. Recreational amounts?

10:55AM 8 A. Yes.

10:55AM 9 Q. Okay. And -- and you were doing that to your benefit,
10:55AM 10 right?

10:55AM 11 A. Yes.

10:55AM 12 Q. In other words, if you do a drug transaction at
10:55AM 13 Pharaoh's, you're not giving Peter a cut of the money, right?

10:55AM 14 A. No.

10:55AM 15 Q. You're not giving any other girls a cut of the money?

10:55AM 16 A. No.

10:55AM 17 Q. Okay. You're doing that to support your habit, right?

10:55AM 18 A. Yes.

10:55AM 19 Q. Peter Gerace never told you to sell cocaine?

10:55AM 20 A. No.

10:55AM 21 Q. All right. Okay.

10:55AM 22 **MR. SOEHNLEIN:** Can I just have one minute, Judge?

10:55AM 23 **THE COURT:** Sure.

10:55AM 24 **MR. SOEHNLEIN:** Thank you.

10:56AM 25 Sorry about that. Thank you, Judge.

2 Q. You had some testimony about Joe Bongiovanni; do you
3 recall that?

4 A. Yes.

5 Q. When he was at the club, was he treated similar to other
6 customers?

7 A. Yes.

8 Q. Yeah. He didn't get any preferential treatment?

9 A. No.

0 Q. Okay. Now, there was testimony about a business card
1 that was given to you; is that correct?

2 A. Yes.

3 Q. Yeah. And you -- you shared all of the -- the entirety
4 of your recollection about that business card with the jury,
5 correct?

6 A. Yes.

7 Q. Okay. Now, when Mr. Gerace gave you that business card,
8 he didn't tell you what Mr. Bongiovanni would do for you,
9 right?

0 A. No, I really think was to get out of, like, a traffic
1 kind of thing if I got pulled over.

2 Q. All right. So -- so your impression is, you get a
3 speeding ticket, you're going to show them the Bongiovanni
4 card, right?

5 A. Yeah.

1 Q. Right. You didn't expect that, like, you get busted for
2 cocaine, that the charges were just gonna go away?

3 A. At that time, I wasn't even selling the cocaine, I was
4 just a user, so --

5 Q. Yeah. So what was on your radar is, like, traffic
6 tickets, speeding tickets, things like that?

7 A. Yes.

8 Q. Okay. So in your mind, it didn't even occur to you that
9 it might have anything to do with drug sales, right?

10 A. Not at all.

11 Q. And Peter Gerace didn't tell you that, right?

12 A. No.

13 **MR. SOEHNLEIN:** Okay. And -- and one more minute,
14 Judge. Thanks.

15 **BY MR. SOEHNLEIN:**

16 Q. We're rounding third and heading home, I promise. I
17 don't mean to -- just to set you up.

18 You met with the government several times to -- to
19 prepare for this, correct?

20 A. Yes.

21 Q. Yeah. And you recall that they asked you questions about
22 commercial sex acts at Pharaoh's; is that correct?

23 A. Yes.

24 Q. And -- and you never saw any commercial sex acts; is that
25 right?

10:58AM 1 A. No.

10:58AM 2 Q. Not upstairs?

10:58AM 3 A. No.

10:58AM 4 Q. Not in the VIP area?

10:58AM 5 A. No.

10:58AM 6 Q. You were at Pharaoh's a lot, right?

10:58AM 7 A. Yes.

10:58AM 8 Q. For six years --

10:58AM 9 A. Yeah.

10:58AM 10 Q. -- right?

10:58AM 11 And -- and in your estimation, they -- they tried pretty

10:58AM 12 hard to get you to give on that testimony, right?

10:58AM 13 A. I'm sorry?

10:58AM 14 Q. It's -- it's a bad question.

10:58AM 15 The government asked you about commercial sex acts quite

10:58AM 16 a bit when they were prepping you, right?

10:58AM 17 A. Yes.

10:58AM 18 Q. All right. And you're solid on that you never saw

10:59AM 19 anything, right?

10:59AM 20 A. Right.

10:59AM 21 Q. Okay. You trusted the bouncers?

10:59AM 22 A. I did.

10:59AM 23 Q. Yeah. They did a good job protecting you?

10:59AM 24 A. Yes.

10:59AM 25 **MR. SOEHNLEIN:** That -- that's all I have, Judge.

1 Thank you.

2 **THE COURT:** Redirect?

3
4 **REDIRECT EXAMINATION BY MR. COOPER:**

5 Q. Most of the time you prepared was with me, right?

6 A. Yes.

7 Q. Okay. And there were some agents in the room, right?

8 A. Yes.

9 Q. Did anybody ever, one time, tell you to make something up
10 because we wanted to hear it?

11 A. Not once.

12 Q. What did we ask you to do?

13 A. Tell the truth.

14 Q. You were asked some questions about that business card a
15 second ago; do you remember that?

16 A. Yes.

17 Q. The business card said that Bongiovanni was a DEA agent,
18 right?

19 A. Yes.

20 Q. Not a state trooper, right?

21 A. No.

22 Q. Not a Cheektowaga local police officer, right?

23 A. Right.

24 Q. Okay. And I just want to know what you understand. Do
25 you believe that DEA agents stop people for speeding?

10:59AM

1 A. No.

10:59AM

2 Q. Okay. Do you think that they're really involved in

10:59AM

3 traffic tickets at all?

10:59AM

4 A. I have no clue. I just thought that it's a -- some kind

11:00AM

5 of law enforcement, I mean, they are --

11:00AM

6 Q. Do you know what DEA stands for?

11:00AM

7 A. Yes.

11:00AM

8 Q. What does it stand for?

11:00AM

9 A. Drug --

11:00AM

10 Q. If I say it, will that help?

11:00AM

11 A. Yes.

11:00AM

12 Q. Is that the Drug Enforcement Administration?

11:00AM

13 A. Yes.

11:00AM

14 Q. Okay. And the business card that this defendant handed

11:00AM

15 to you was a business card for a special agent from the Drug

11:00AM

16 Enforcement Administration, right?

11:00AM

17 A. Correct.

11:00AM

18 Q. Okay. And when he handed it to you, do you remember what

11:00AM

19 his exact words were?

11:00AM

20 A. Just to -- that I could use this to get out of trouble.

11:00AM

21 Q. Okay. And he didn't say use this if you get a speeding

11:00AM

22 ticket, right?

11:00AM

23 A. Right.

11:00AM

24 Q. And when he told you -- "he" being the defendant, told

11:00AM

25 you use this if you get in trouble, or use it to get out of

11:00AM 1 trouble, he knew that you were a cocaine user, right?

11:00AM 2 A. Yes.

11:00AM 3 Q. You had brought cocaine from his drug dealer back to him,

11:00AM 4 right?

11:00AM 5 A. Yes.

11:00AM 6 Q. And the words he says to you are use this to get out of

11:00AM 7 trouble, right?

11:00AM 8 A. Yes.

11:00AM 9 Q. Okay. You were asked some questions about Marcus Black

11:01AM 10 selling drugs at other places, right?

11:01AM 11 A. Yes.

11:01AM 12 Q. I want to talk about Pharaoh's. He sold drugs there,

11:01AM 13 right?

11:01AM 14 A. Yes.

11:01AM 15 Q. Pharaoh's is a private business, isn't it?

11:01AM 16 A. Yes.

11:01AM 17 Q. And the owner of Pharaoh's, he's capable of excluding

11:01AM 18 people from entering, right?

11:01AM 19 A. Yes.

11:01AM 20 Q. Private business owners can do that to your

11:01AM 21 understanding?

11:01AM 22 A. Yes.

11:01AM 23 Q. And is it your understanding that Marcus Black was the

11:01AM 24 defendant's friend?

11:01AM 25 A. Yes.

11:01AM 1 Q. And the defendant, he certainly knew Marcus Black was a
11:01AM 2 drug dealer, right?

11:01AM 3 A. Yes.

11:01AM 4 Q. He had actually sent you to Marcus Black to buy drugs,
11:01AM 5 right?

11:01AM 6 A. Yes.

11:01AM 7 Q. Fair to say Marcus Black was very welcome at Pharaoh's
11:01AM 8 Gentlemen's Club?

11:01AM 9 A. Yes.

11:01AM 10 Q. Okay. You were asked questions about why you started
11:01AM 11 working at Pharaoh's, and -- and that you wanted to make more
11:01AM 12 money was your answer; do you remember that?

11:01AM 13 A. Yes.

11:01AM 14 Q. At that time, were you an opiate addict?

11:01AM 15 A. No.

11:01AM 16 Q. Have you ever been an opiate addict?

11:01AM 17 A. No.

11:01AM 18 Q. Have you struggled with opiate withdrawals?

11:01AM 19 A. No.

11:01AM 20 Q. Do you know what that feels like?

11:01AM 21 A. No.

11:01AM 22 Q. You were asked some questions about what you observed
11:01AM 23 happening in the VIP Room with respect to commercial sex
11:01AM 24 acts.

11:02AM 25 Do you remember being asked that question?

11:02AM 1 A. Yes.

11:02AM 2 Q. Have you seen -- and I'm not trying to be a jerk here,
11:02AM 3 but have you seen every private dance that ever happened at
11:02AM 4 Pharaoh's?

11:02AM 5 A. No.

11:02AM 6 Q. You didn't, like, follow other dancers around and watch
11:02AM 7 what they were doing, right?

11:02AM 8 A. No.

11:02AM 9 Q. There were times when people were upstairs and you
11:02AM 10 weren't; is that fair to stay?

11:02AM 11 A. Yes.

11:02AM 12 Q. And so is it fair to say, you wouldn't know what was
11:02AM 13 happening at that time?

11:02AM 14 A. Yes.

11:02AM 15 Q. Have you told this jury everything you know to the best
11:02AM 16 of your ability?

11:02AM 17 A. I have.

11:02AM 18 **MR. COOPER:** Okay. I have nothing more, Judge.

11:02AM 19 **THE COURT:** Any recross?

11:02AM 20 **MR. SOEHNLEIN:** I have two questions. Maybe three.
11:02AM 21 Maybe five.

11:02AM 22

11:02AM 23 **RECROSS-EXAMINATION BY MR. SOEHNLEIN:**

11:02AM 24 Q. When the -- when Peter Gerace gave you that business
11:02AM 25 card, you don't know what he meant, do you?

11:02AM 1 A. No.

11:02AM 2 Q. And you were at Pharaoh's -- how often were you at

11:02AM 3 Pharaoh's during that time period that we were talking about,

11:02AM 4 2007 to 2013?

11:02AM 5 A. A couple days a week, every week.

11:02AM 6 Q. Yeah, and you did most every job in the building, right?

11:03AM 7 A. Yes.

11:03AM 8 Q. You had a pretty good sense of what was going on there?

11:03AM 9 A. Yes.

11:03AM 10 Q. Yeah, you feel like you're kind of an expert at what --

11:03AM 11 what was going on inside the building?

11:03AM 12 A. Yes.

11:03AM 13 **MR. SOEHNLEIN:** I have nothing further. Thank you.

11:03AM 14 **THE COURT:** Anything more?

11:03AM 15 **MR. COOPER:** I'm good. Thank you.

11:03AM 16 **THE COURT:** You may step down, ma'am. You're

11:03AM 17 excused.

11:03AM 18 (Witness excused at 11:03 a.m.)

19 (Excerpt concluded at 11:03 a.m.)

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CERTIFICATE OF REPORTER

In accordance with 28, U.S.C., 753(b), I
certify that these original notes are a true and correct
record of proceedings in the United States District Court for
the Western District of New York on November 7, 2024.

s/ Ann M. Sawyer

Ann M. Sawyer, FCRR, RPR, CRR

Official Court Reporter

U.S.D.C., W.D.N.Y.

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